

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GIDEON RAPAPORT,

Plaintiff,

-against-

ABIGAIL FINKELMAN,

Defendant.

24-CV-5942 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

On February 7, 2025, the parties submitted a joint letter and proposed case management plan. ECF No. 44. Rapaport seeks certain discovery to enable the Court “to properly evaluate, in context, Defendant’s selected entered evidence” from the internet. ECF No. 44 at 2. Defendant denies any such discovery is necessary or appropriate at this time and indicated she would seek a discovery stay if necessary. *Id.* In the interest of efficiency and judicial economy, this Court directed Plaintiff to promptly file any letter motion to stay discovery, and for Plaintiff to file a response. ECF No. 45. Plaintiff submitted her letter motion on February 12, 2025 (ECF No. 46), and Plaintiff file a response on February 24, 2025 (ECF No. 47).

Based on the parties’ submission, the Court stays discovery, for good cause shown, until resolution of Defendant’s pending Motion to Dismiss (ECF No. 17). The factors set forth in the parties’ letters weigh in favor of a stay: Defendant has moved to dismiss this case, and although the Court declines to address the merits of this motion now, the Court finds, after an initial review, that the motion “is potentially dispositive, and appears to be not unfounded in the law.” *Negrete v. Citibank*, N.A., No. 15-cv-7250 (RWS), 2015 WL 8207466, at *1 (S.D.N.Y. Dec. 7, 2015) (internal citation omitted). Plaintiff claims that a delay will prejudice him because Defendant has allegedly “destroyed evidence.” ECF No. 47. However, this

assertion appears unfounded, *see* ECF No. 48, and Plaintiff does not allege any other prejudice. On the other hand, Defendant has identified prejudice and costs she will incur if discovery is not stayed at this stage.

For these reasons, the Court grants Defendant's requested stay. The Clerk of Court is respectfully directed to terminate ECF No. 46.

Dated: February 27, 2025
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge